



## **Request for City Council Committee Action From the Department of Public Works**

**Date:** April 8, 2003  
**To:** Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee  
**Referral to:** Honorable Barbara Johnson, Chair Ways & Means Committee

**Subject:** **Tenth Street South Reconstruction, Special Improvement of Existing Street  
Number 2982: Project Approval and Assessment Public Hearing.**

### **Recommendation:**

1. Passage of a Resolution ordering the City Engineer to proceed and do the work and adopting the special the special assessments in the total amount of \$200,712.14 for the Tenth Street South Reconstruction Project.
2. Passage of a Resolution requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$200,700.
3. Passage of a Resolution ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the Tenth Street South Reconstruction Project.

### **Previous Directives:**

- Project Designation, Resolution No. 2003R-055

**Prepared by:** Suzette R. Hjermstad, Public Works, Special Assessments Dept., 673-2401

**Approved by:** Klara A. Fabry, Director of Public Works

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Richard H. Smith, Assistant Director, Public Works

**Presenters:** Robb Urquhart, Project Engineer and Suzette Hjermstad, RE Investigator II

### **Financial Impact** (Check those that apply)

- ☒ No financial impact - or - Action is within current department budget.  
(If checked, go directly to Background/Supporting Information)
- ☐ Action requires an appropriation increase to the Capital Budget
- ☐ Action requires an appropriation increase to the Operating Budget
- ☐ Action provides increased revenue for appropriation increase
- ☐ Action requires use of contingency or reserves
- ☒ Other financial impact (Explain): Special assessment to benefited property
- ☐ Request provided to the Budget Office when provided to the Committee Coordinator

### **Background/Supporting Information:**

On February 28, 2003, the City Council designated the location, streets and improvements proposed to be made in the Tenth Street South area.

The location of the street reconstruction project is 10<sup>th</sup> St S from 3<sup>rd</sup> Avenue S to Park Avenue. Tenth Street S at this location is Minnesota State Aid Route No. 223.

### 1. Tenth St S Reconstruction Project

The cost estimate for the Tenth St S Reconstruction Project is \$1,590,000. The street improvement project will include paving with plant mix asphalt with concrete curb and gutter replacement, traffic signal work and catch basin work as needed. This project will use city forces and is scheduled to start in May 2003 and be completed by October 2003. This project is part of a five-year capital program adopted by the City Council and included appropriated amounts for Net Debt Bonds, Assessment Bonds and MSA Funds in various fund agencies that are sufficient to cover the cost of this proposed project.

The proposed street reconstruction special assessments were determined by applying the 2003 Uniform Assessment Rates to the land area of benefited parcels located within the street influence zone along the improved street. The reconstruction rates are as follows:

\$1.10/sq ft – Local – Non-Residential  
\$1.10/sq ft – Other – Non-Residential  
\$0.44/sq ft – Local – Residential  
\$0.35/sq ft – Other – Residential

The proposed total assessment amount for Tenth St S Reconstruction Project is \$200,712.14. Individual assessments of more than \$150 would be collected over 20 years beginning on the 2004 real estate tax statements with the interest charged at the same rate as assessment bonds are sold. Assessments of \$150 or less would be collected in their entirety on the 2004 real estate tax statements with interest charged at the same rate as assessments bonds are sold. Information has been provided in the Notices as to how persons may prepay the special assessments in full without interest charges if they so choose.

The City Council has passed Resolutions whereby a deferment of the special assessments may be obtained by showing hardship for any homestead property owned by a person 65 years of age or older or retired by virtue of permanent and total disability.

## 2. Abandonment and Removal of Conflicting Areaways

Section 95.90 of the Minneapolis Code of Ordinances provides a procedure for dealing with areaway encroachments that would interfere with public improvements being made in the public right-of-way such as street construction. Before the City may abandon and remove conflicting areaways (upon the failure of the abutting property owner to resolve or agree to resolve the conflict) and then later assess the costs, a public hearing must be held. Prior to this public hearing, areaway legal public hearing notices were given by the City Engineer that provided the initial notice required in Section 95.90 of the Minneapolis Code of Ordinances.

Attachment 1 - Map

Attachment 2 – Resolution – Ordering the work to proceed, etc.

Attachment 3 – Resolution – Requesting the Board of Estimate & Taxation to issue and sell bonds

Attachment 4 – Resolution – Ordering abandonment and removal of areaways, etc.

Cc: Council Member Lisa Goodman  
Jack Qvale, Secretary, Board of Estimate and Taxation

**T & PW** – Your Committee recommends passage of the accompanying Resolution ordering the work to proceed and adopting the special assessments for the Tenth Street South Reconstruction Project, Special Improvement of Existing Street No. 2982.

Your committee further recommends summary publication of the above-described Resolution.

**Colvin Roy**

**Tenth Street South Reconstruction Project  
Special Improvement of Existing Street No. 2982**

**Ordering the work to proceed and adopting the special assessments for the Tenth Street South Reconstruction Project.**

Whereas, a public hearing was held on April 8, 2003, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2003R-055, passed February 28, 2003 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2003R-055, passed February 28, 2003.

Be It Further Resolved that the proposed special assessments in the total amount of \$200,712.14 for the Tenth Street South Reconstruction Project, as on file in the office of the City Clerk be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that for the Tenth Street South Reconstruction Project, the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest charged at the same rate as the assessment bonds are sold for with collection of the special assessments to begin on the 2004 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for, with collection of the special assessments on the 2004 real estate tax statements.

**Colvin Roy and Johnson**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$200,700 for certain purposes other than the purchase of public utilities.**

Resolved by the City Council of the City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Tenth Street South Reconstruction Project, Special Improvement of Existing Street No. 2982, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

**T&PW** – Your Committee recommends passage of the accompanying Resolution ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the paving project in the Tenth Street South area.

Your Committee further recommends summary publication of the above-described Resolution.

**Colvin Roy**

**Ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the street reconstruction project in the Tenth St S area.**

Whereas, the City of Minneapolis has scheduled the reconstruction improvements during 2003 in the Tenth St S area of Minneapolis; and

Whereas, there are areaways located in the public street r/w that are in conflict with said reconstruction; and

Whereas, a public hearing was held on April 8, 2003, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Sections 24.180 and 95.90 of the Minneapolis Code of Ordinances to consider the proposed abandonment and removal of the above mentioned areaways and to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

Now Therefore, Be It Resolved by the City Council of Minneapolis;

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street r/w adjoining the properties along Tenth St S (both sides) from 3<sup>rd</sup> Av S to Park Av.